



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

#171  
JBP  
7/16/03

In re patent application of  
P. HERMONAT *et al.*

Serial No. 09/693,908

Filed: October 23, 2000

For: ADENO-ASSOCIATED VIRUS AAV REP78 MAJOR REGULATORY PROTEIN  
MUTANTS THEREOF AND USES THEREOF

**AMENDMENT AND REQUEST FOR RECONSIDERATION  
UNDER 37 C.F.R. §1.111**

Mail Stop NON-FEE AMENDMENT  
Commissioner for Patents  
Alexandria, Virginia 22313-1450

Sir:

This is in response to the Office Action mailed March 11, 2003 in the above-identified application. Enclosed herewith is a Petition for a one-month extension of time and the requisite fee to extend the response deadline to July 11, 2003, which is within the six-month statutory period. Should such request or fee be deficient or absent, please consider this paragraph such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 from Deposit Account No. 19-0741. Kindly amend the application as follows:

**IN THE CLAIMS:**

In accordance with 37 C.F.R. §1.121, please substitute for claims 2, 4, 5, 7, 13, 19, 20 and 46, the following rewritten version of the same claim, as amended. The changes are shown explicitly in the attached "Marked-up claims."

2. (Amended) An adeno-associated virus (AAV) Rep78 mutant comprising an AAV Rep78 modified protein that binds to at least one DNA sequence obtained from one or more of a papillomavirus, an AAV, an oncogene or a HIV differently as compared to the binding of the corresponding wild-type AAV Rep78 protein as set forth in SEQ ID NO:6 to said DNA sequence, wherein said different DNA binding is selected from the group consisting of no DNA binding, weak DNA binding and enhanced DNA binding as compared to the binding of said wild-type AAV Rep78 protein.

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